

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Richard Zletz

SUMMONS IN A CIVIL ACTION

V.

Unum Life Insurance Company of America

CASE NUMBER
07 CV 11507

JUDGE BAER

TO: (Name and address of Defendant)

Unum Life Insurance Company of America
2211 Congress Street
Portland, ME 04122

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Mark Scherzer, Esq.
7 Dey Street, Suite 600
New York, NY 10007

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

DEC 21 2007

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ <u>Signature of Server</u></p> <p style="text-align: center;">_____ <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

STATE OF NEW YORK
INSURANCE DEPARTMENT
One Commerce Plaza
Albany, NY 12257

STATE OF NEW YORK
District Court, Southern District of New York

Richard Zletz

07 CV 11507

against

Plaintiff(s)

UNUM Life Insurance Company of America

Defendant(s)

RE : UNUM Life Insurance Company of America

Attorney for Plaintiff(s) and Defendant please take notice as follows:

Sirs :

Attorney for Plaintiff(s) is hereby advised of acknowledgement of service upon me of Summons and Complaint in the above entitled action on January 2, 2008 at New York, New York. The \$40 fee is also acknowledged.

Pursuant to section 1213 of the Insurance Law, said process is being forwarded to Defendant at its last known principal place of business. Defendant is not authorized to do business in this state and you are advised that, while such service is accepted and being forwarded to the company, it is your duty to determine whether this is a proper service under section 1213 of the Insurance Law.

Original to Attorney for Plaintiff(s) :

Mark Scherzer, Esq.
Attorney at Law
7 Day Street, Suite 600
New York, New York 10007

Pursuant to the requirement of section 1213 of the Insurance Law, Defendant is hereby notified of service as effected above. A copy of the paper is enclosed.

Duplicate to Defendant :

Legal Department
UNUM Life Insurance Company of America
2211 Congress Street
Portland, Maine 04122



by Clark J. Williams
Special Deputy Superintendent

Dated Albany, New York, January 04, 2008
Defendant letter was certified at the Albany Post Office on Monday,
January 07, 2008 at 1 :30 P.M. by Cynthia LaPoint

425425 C.A.#189072